

CMRC Research Day (Monday, 16 January 2012): Abstracts of Papers

Katherine Weikert (History Department, University of Winchester)

'If they duly obey me': Settlements and strategies in Anglo-Saxon wills: Wills form a crucial segment of the extant charters from the Anglo-Saxon period. These documents relate a person's intentions for their most valuable or cherished properties and as such can reveal much about not only the intention of the testator but also the familial and interpersonal relationships between the testators and the beneficiaries. These relationships can reveal themselves in unexpected and sometimes colourful ways. This paper inspects settlements in Anglo-Saxon wills as a way of identifying strategies, uncertainties and controls. Settlements are quantified and reconsidered in regards to notions that female inheritance of land was simply a method of couriering property to future generations. Settlements reveal not only the imperative of the gift to religious institutions by both sexes but also an allowance for uncertainties while attempting to exact control, displaying a crucial intersection between the intentions of the testators and the actions of the beneficiaries.

Remy Ambuhl (CMRC - History)

The Laws of Ransom in the Hundred Years War: How were prisoners of war treated in the Hundred Years War? What were the rights and duties of captors and prisoners, if there were any? The alleged prevalence of the law of arms in all matters relating to war is challenged by the principles which govern the two interlinked issues of ransoms and prisoners of war. Individual experiences of captors and prisoners drawn from a large variety of sources shed light on a complex body of laws, rules and values in which contractual agreements occupied a significant place.

Nicholas Karn (CMRC - History)

Expertise and advocacy in English courts in the twelfth century: There were no professional lawyers in English secular courts in the twelfth century. This has for most commentators problematised the survival of lawbooks and other evidence of debate, and it has led to the suggestion that much of this is political rather than legal in nature. This short paper will suggest that the real problem here is how cases are conceived of by modern scholars, as contests between two parties. In the early middle ages, cases were not simply a contest between two sides, but also a jurisdictional battle between lords over how cases were heard. It is here that the evidence for legal expertise finds its most natural home.

Chris Briggs (History Faculty/Selwyn College, University of Cambridge)

English peasants and the law, c.1250-c.1450: some research themes:

This paper looks at the ways in which peasants (rural people directly engaged in agriculture) used and experienced civil (as opposed to criminal) justice, with a focus on litigation. Research in recent years has tended to be impressed by the extent to which peasants used the various kinds of courts that made up the legal system. The paper starts by outlining the implications of this work. The paper then considers specific research questions in this area, and discusses ways in which they have been explored to date and may be explored in future. These themes include: 'access to justice' by villagers; serfdom and the law; legal professionals and legal expertise; the languages of litigation; and concerns about the social effects of litigation. Particular attention is given to questions which seem especially susceptible to comparative or interdisciplinary approaches.

Peter D. Clarke (CMRC – History)

Petitioning the Pope: English Supplicants and Rome in the Fifteenth Century:

This paper draws on recent research in the archives of the Apostolic Penitentiary, the principal source of papal graces in the late Middle Ages, notably marriage dispensations. It will explore how the English initiated the process of petitioning Rome for such favours, what contacts they used and how much they understood of the process of petitioning and what it involved. Some evidence will be drawn from the forthcoming edition *Petitions from England and Wales to the Apostolic Penitentiary to 1503*, ed. P. D. Clarke and P. N. R. Zutshi, 4 vols., Canterbury and York Society (volume 1 to appear in 2012).

Nadia Thérèse van Pelt (CMRC – English)

'He Holes yt Not Within a Yard': Slandering the Neighbours Through Performance:

On the 25th of June 1607 a board with nine holes was carried through the streets of Wells, depicting a woman carrying a hat and a brush, standing in between two men. Neighbours were invited to throw balls at the board and numerous sexual puns were made with allusions to the names of Mr Hole, Mrs Yarde and Mr Mead, who had recently opposed the traditional church ale. My paper will be concerned with popular justice, and its official consequences: in this case a legal inquiry on Mrs Yarde's and Mr Hole's alleged 'incontinency' which has been recorded in the *Compert Book*.